

IFM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

MYERS et al.

Serial No.: 10/748,804

For: "Multi-Mode Child  
Entertaining Apparatus and  
Methods of Using the Same"

Filed: December 30, 2003

Group Art Unit: 3637

Examiner: Hau V. Phan

) I hereby certify that this paper is  
) being deposited with the United  
) States Postal Service as first-class  
) mail, postage prepaid, in an  
) envelope addressed to: Mail Stop  
) Amendment, Commissioner for  
) Patents  
) P.O. Box 1450  
) Alexandria, VA 22313-1450, on  
) this date:

July 14, 2005

James A. Flight

Registration No. 37,622  
Attorney for Applicants

RESPONSE TO THE OFFICE ACTION DATED JUNE 29, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The applicants have carefully considered the Office action dated June 29, 2005. In view of the following, it is respectfully submitted that all pending claims are in condition for allowance and favorable reconsideration is respectfully requested.

The Office action identifies two patently distinct inventions, namely, the invention of claims 1-49 (Group I), and the invention of claim 50 (Group II). Applicant hereby elects Group I (i.e., claims 1-49) for further prosecution in this case without traverse.

Before closing, to complete the record, the undersigned notes that, although the Office action indicates that a phone call was made to the

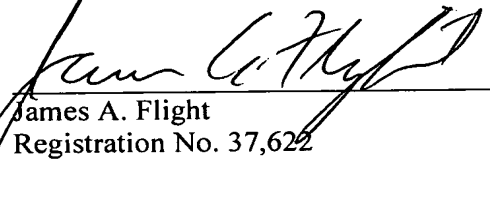
undersigned to request an oral election, the undersigned never received such a call nor a voicemail message reflecting receipt of such a call.

If the Examiner is of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is invited to contact the undersigned at the number identified below.

Respectfully submitted,

HANLEY, FLIGHT & ZIMMERMAN, LLC.  
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20 North Wacker Drive  
Chicago, Illinois 60606  
(312) 580-1020

By:



James A. Flight  
Registration No. 37,622

July 14, 2005